

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-237-E - ORDER NO. 2005-647
NOVEMBER 3, 2005

IN RE: Duke Power, a division of Duke Energy Corporation,)	ORDER GRANTING
)	REQUEST TO DISMISS
)	COMPLAINT WITH
Complainant,)	PREJUDICE AND
)	CANCEL HEARING
vs.)	
)	
City of Seneca Light and Water,)	
)	
Respondent.)	
_____)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Duke Power, a division of Duke Energy Corporation (Duke) to dismiss its complaint with prejudice against the City of Seneca Light and Water (Seneca) and to cancel the hearing presently scheduled in this matter. This proceeding was established upon the filing of a complaint by Duke on July 2, 2002, against Seneca.

On October 25, 2005, Duke filed a request with the Commission seeking dismissal of its complaint in this matter and cancellation of the hearing currently scheduled for November 2, 2005. On October 5, 2005, Duke informed the Commission that a settlement of Duke's complaint had been reached and that Duke would be filing the

settlement agreement with the Commission. With its request for dismissal of October 25, 2005, Duke submits the Settlement Agreement and requests that Duke's complaint be dismissed with prejudice and that the hearing in this matter be cancelled. Duke advises that its request for dismissal is filed with the consent of counsel for the ORS and for Seneca.

After consideration of the request of Duke, we find that the requested relief should be granted.

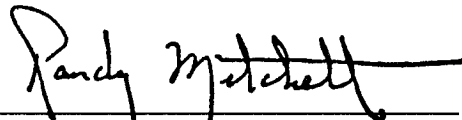
IT IS THEREFORE ORDERED THAT:

1. The Duke Power, a division of Duke Energy Corporation, Complaint against the City of Seneca Light and Water is hereby dismissed with prejudice.

2. The hearing presently scheduled in this matter for November 2, 2005, is hereby cancelled.

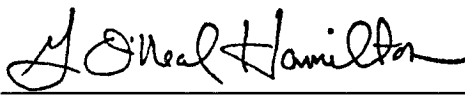
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice Chairman

(SEAL)